

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

DGBJSH FAMILY PROPERTIES, LLC, *
*
Plaintiff, *
*
v. *
*
KATHY REAVES, *
*
Defendant. *

CV 119-113

O R D E R

Before the Court are Plaintiff's motion to remand (Doc. 11), motion to expedite ruling on the motion to remand (Doc. 12), and emergency motion for a hearing (Doc. 18). Upon due consideration, the motion to expedite (Doc. 12) is **GRANTED** and the emergency motion for a hearing (Doc. 18) is **DENIED**. The Court now turns to the motion to remand.

Courts "apply a general presumption against the exercise of federal jurisdiction, such that all uncertainties as to removal jurisdiction are to be resolved in favor of remand." Scimone v. Carnival Corp., 720 F.3d 876, 882 (11th Cir. 2013) (citation and internal quotation marks omitted). "A removing defendant bears the burden of proving proper federal jurisdiction." Leonard v. Enterprise Rent A Car, 279 F.3d 967, 972 (11th Cir. 2002). Defendant fails to respond to Plaintiff's motion to remand.

Upon consideration of the foregoing, the motion to remand (Doc. 11) is **GRANTED IN PART** and **DENIED IN PART**. Plaintiff's motion to remand is granted in so far as it requests remand. All other requested relief therein is denied. The Clerk is **DIRECTED** to **REMAND** this action to the Magistrate Court of Richmond County, Georgia; **TERMINATE** all other pending motions; and **CLOSE** this case before the Augusta Division of the United States District Court for the Southern District of Georgia.

ORDER ENTERED at Augusta, Georgia, this 4th day of September, 2019.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA